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3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
4 **OF THE STATE OF WASHINGTON**
5

6 N THE MATTER OF ENFORCEMENT)
7 ACTION AGAINST)

PDC CASE NO.: 01-503

8 GREGORY NELSON)

FINAL ORDER IMPOSING FINE

9 Respondent.)
_____)

10 The Washington State Public Disclosure Commission (Commission) conducted an
11 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
12 August 28, 2001.

13 The Commission held the hearing in Room 206 of the Evergreen Plaza Building,
14 711 Capitol Way South, in Olympia, Washington to determine if the Respondent violated
15 RCW 42.17.240 by failing to properly file an F-1 report due on or before April 16, 2001.
16 The Respondent was properly notified of the hearing by letter dated August 7, 2001 but
17 failed to appear. The Commission's Enforcement Staff (Staff) appeared through Philip
18 Stutzman, Director of Compliance.
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20 The Commission considered the Notice of Administrative Charges and its
21 incorporated exhibits. The Notice of Administrative Charges and exhibits are incorporated
22 by reference into this Order. The Commission heard oral argument by Staff.
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1 Based on this record, the Commission finds that

- 2 1) The Respondent is a Commissioner of King County Fire Protection District 20.
- 3 2) The Respondent was required to file a Statement of Financial Affairs (PDC Form
- 4 F-1) by April 16, 2001.
- 5 3) The Respondent failed to file the F-1 Report by April 16, 2001.
- 6 4) The Respondent failed to file an F-1 Report in 2000 and was assessed a penalty in
- 7 Case No. 01-091 of \$200 by order entered December 14, 2000, which he failed to
- 8 pay.
- 9 5) The Respondent failed to file a Candidate Registration (PDC Form C-1) within two
- 10 weeks of becoming a candidate in 1999. In Case No. 00-649, by order entered
- 11 January 14, 2000, the Respondent was assessed a penalty of \$50 which was
- 12 suspended on the condition the Respondent commit no further violations of RCW
- 13 42.17 for a period of two years from the date of the order.
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16 Based on the findings of fact, the Commission concludes that the Respondent violated
17 RCW 42.17.240 by failing to file the F-1 Report by April 16, 2001.

18 **The Commission ORDERS that the Respondent is assessed a civil penalty of**
19 **\$500. IT IS FURTHER ORDERED that the \$50 penalty suspended in Case No. 00-**
20 **649 is hereby reinstated. IT IS FURTHER ORDERED that if the assessed penalty of**
21 **\$500 together with the \$200 penalty assessed in Case No. 01-091 and the \$50 penalty**
22 **reinstated in Case No. 00-649 are not paid within 30 days of the date of this order, the**
23 **unpaid penalties totaling \$750 will be turned over to the Office of the Attorney**
24 **General for collection.**
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1 Any party may ask the Commission to reconsider this final order. Parties must
2 place their requests for reconsideration in writing, include the specific grounds or reasons
3 for the request, and deliver the request to the office of the Public Disclosure Commission
4 within 10 days of the date that the Commission serves this order upon the party.
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6 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure
7 Commission is subject to judicial review under the Administrative Procedures Act, chapter
8 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed
9 with the superior court in Thurston County or the petitioner's county of residence or
10 principal place of business. The petition for judicial review must be served on the Public
11 Disclosure Commission and any other parties within 30 days of the date that the Public
12 Disclosure Commission serves this final order on the parties.
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14 If reconsideration is properly sought, the petition for judicial review must be served
15 on the Public Disclosure Commission and any other parties within 30 days after the
16 Commission acts on the petition for reconsideration. Pursuant to RCW 34.05.470(3), the
17 Public Disclosure Commission is deemed to have denied the petition for reconsideration if,
18 within twenty days from the date the petition is filed, the agency does not either dispose of
19 the petition or serve the parties with written notice specifying the date by which it will act
20 on the petition. Pursuant to RCW 34.05.470(5), the Respondent is not required to ask the
21 Public Disclosure Commission to reconsider the final order before seeking judicial review
22 by a superior court.
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The Commission will seek to enforce this final order in superior court under RCW 42.17.395 - .397, and recover legal costs and attorney's fees, if the penalty remains unpaid and no petition for judicial review has been filed under chapter 34.05 RCW. This action will be taken without further order by the Commission.

DATED this 31st day of August, 2001.

/s/
VICKI RIPPKE, Executive Director